



S/N 10/706,311

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Ken Rosenblum	Examiner:	Khoi H. Tran
Serial No.:	10/706,311	Group Art Unit:	3653
Filed:	November 12, 2003	Docket:	1326.007US1
Title:	AUTOMATIC PRESCRIPTION DRUG DISPENSER		

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I, Peter C. Maki, am the attorney of record for the above identified patent application as evidenced by the Power of Attorney filed in the present application on August 24, 2004. I am making this petition on behalf of Mendota Healthcare, Inc., the assignee of the present invention. As the attorney of record, I am empowered to act on behalf of the assignee and, in accordance with 37 C.F.R. § 1.321(b)(iv), to sign this terminal disclaimer.

Certificate Under 37 C.F.R. § 3.73(b)

Your petitioner, Mendota Healthcare, Inc., certifies that they are the owner of the entire right, title and interest in and to the above-identified patent application (Serial No. 10/706,311) and to U.S. Patent No. 6,892,941 B2. Your petitioner owns the entire right, title, and interest of these applications by nature of the assignments executed and filed for both of these applications. The assignment for U.S. Patent No. 6,892,941 B2 was recorded on February 27, 2003 on Reel 013787, Frames 0525-0527, with the United States Patent and Trademark Office. The above-identified patent application (Serial No. 10/706,311) is related to U.S. Patent No. 6,892,941 B2.

The undersigned representative of the assignee has reviewed the evidentiary documents of title and certifies that to the best of assignee's knowledge and belief, title is in the assignee, Mendota Healthcare, Inc., seeking to take the action set forth in this disclaimer.

Terminal Disclaimer

Your petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified patent application, which would

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Filing Date: November 12, 2003

Title: AUTOMATIC PRESCRIPTION DRUG DISPENSER

Page 2

Dkt: 1326.007US1

extend beyond the expiration date of the full statutory term, as presently shortened by any terminal disclaimers, of any patent which may issue from U.S. Patent No. 6,892,941 B2.

Petitioner hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to any patent which may issue from U.S. Patent No. 6,892,941 B2 and the legal title of the above-identified application and any patent granted thereon remain common, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors and assigns.

Limitations on the Disclaimer

Your petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of any patent which may be granted on U.S. Patent No. 6,892,941 B2 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration date of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title as stated hereinabove. Your petitioner does not disclaim any terminal part of any patent granted on the above-identified application if no patent issues from U.S. Patent No. 6,892,941 B2.